



## Legislation Text

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**File #:** 0225-2017, **Version:** 1

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### **Council Variance Application: CV16-081**

**APPLICANT:** A&E Acquisitions, Inc. (DBA The Find); c/o Joel Yakovac, Agent; Two Miranova Place, Suite 900; Columbus, OH 43215.

**PROPOSED USE:** Furniture sales in conjunction with office/warehouse use.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of an existing office/warehouse building zoned in the M-2, Manufacturing District. The applicant is proposing 28,000± square feet of furniture sales in conjunction with office and warehousing uses in one of the building's tenant spaces. A Council variance is necessary because the M-2, District does not allow retail uses. The site is within the planning area of the *Trabue/Roberts Area Plan* (2011), which recommends light industrial land uses at this location. Staff supports the retail furniture use because it is in conjunction with the office/warehouse use, and will not add incompatible or intrusive uses into the area.

To grant a variance from the provisions of Sections 3367.01, M-2, manufacturing district; and 3367.15(C)(D), M-2, manufacturing district special provisions, of the Columbus City Codes; for the property located at **3635 ZANE TRACE DRIVE (43228)**, to permit furniture sales with a reduced parking setback line in the M-2, Manufacturing District (Council Variance # CV16-081).

**WHEREAS**, by application No. CV16-081, the owner of property at **3635 ZANE TRACE DRIVE (43228)**, is requesting a Council variance to permit furniture sales with a reduced parking setback line in the M-2, Manufacturing District; and

**WHEREAS**, 3367.01, M-2, manufacturing district, prohibits retail uses, while the applicant proposes approximately 28,000 square feet of furniture retail in conjunction with a furniture distribution company in an existing tenant space; and

**WHEREAS**, 3367.15(C)(D), M-2, manufacturing district special provisions, requires that no portion of the required 50-foot buffer shall be used for either off-street parking or maneuvering, while the applicant proposes to maintain the 25-foot parking and maneuvering setback within the 50-foot required landscaping; and

**WHEREAS**, City Departments recommend approval because the requested Council variance for 28,000± square feet of retail space is in conjunction with the office/warehouse use, and will not add incompatible or intrusive uses into the area.

**WHEREAS**, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed use; and

**WHEREAS**, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

**WHEREAS**, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owner of the property located at **3635 ZANE TRACE DRIVE (43228)**, in using said property as desired; now, therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That a variance from the provisions of Sections 3367.01, M-2, manufacturing district; and 3367.15(C)(D), M-2, manufacturing district special provisions, of the Columbus City Codes; is hereby granted for the property located at **3635 ZANE TRACE DRIVE (43228)**, insofar as said section prohibits retail uses in the M-2, Manufacturing District, with off-street parking and maneuvering in the required 50-foot landscape buffer with a minimum 25-foot parking setback along Zane Trace Drive; said property being more particularly described as follows:

**3635 ZANE TRACE DRIVE (43228)**, being 5.24± acres located at the northwest corner of Zane Trace Drive and Roberts Road, and being more particularly described as follows:

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, BEING IN VIRGINIA MILITARY SURVEY NO 547, CONTAINING 5.241 ACRES OF LAND, MORE OR LESS, SAID 5.241 ACRES BEING OUT OF THAT TRACT OF LAND(70.102 ACRES OF LAND, MORE OR LESS, ACCORDING TO A SURVEY OF BAUER, BOROWITZ & MERCHANT, INC.) CONVEYED TO THE SOUTHGATE DEVELOPMENT CORPORATION BY DEED OF RECORD IN DEED BOOK 3321, PAGE 47C RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO, SAID 5.241 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, FOR REFERENCE, AT AN IRON PIN AT THE EASTERNMOST CORNER OF SAID 70.102 ACRE TRACT, THE SAME BEING AT THE POINT OF INTERSECTION OF THE SOUTHWESTERLY LINE OF THE PENN CENTRAL RAILROAD COMPANY RIGHT OF WAY WITH A SOUTHEASTERLY LINE OF SAID SURVEY NO. 547, SAID IRON PIN ALSO BEING LOCATED 15.00 FEET NORTHWESTERLY FROM, AS MEASURED AT RIGHT ANGLES, THE CENTERLINE OF ROBERTS ROAD, THENCE FROM SAID REFERENCE POINT OF BEGINNING, SOUTH 49°48'20" WEST WITH THE SOUTHWESTERLY LINE OF SAID SURVEY NO. 547, THE SAME BEING PARALLEL WITH AND 15.00 FEET NORTHWESTERLY FROM, AS MEASURED AT RIGHT ANGLES, THE CENTERLINE OF SAID ROBERTS ROAD, A DISTANCE OF 676.68 FEET TO A POINT;

THENCE NORTH 40°11'40" WEST, A DISTANCE OF 15.00 FEET TO THE TRUE POINT OF BEGINNING IN THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID ROBERTS ROAD AS SHOWN AND DELINEATED UPON THE RECORDED PLAT OF ZANE TRACE DRIVE AND ROBERTS ROAD DEDICATION IN COLUMBUS CORPORATE PARK, OF RECORD IN PLAT BOOK 48, PAGE 78, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO, SAID TRUE POINT OF BEGINNING BEING LOCATED 30.00 FEET NORTHWESTERLY FROM, AS MEASURED AT RIGHT ANGLES THE CENTERLINE OF SAID ROBERTS ROAD;

THENCE FROM SAID TRUE POINT OF BEGINNING SOUTH 49°48'20" WEST, WITH SAID NORTHWESTERLY ROW LINE OF SAID ROBERTS ROAD AS SHOWN AND DELINEATED UPON THE RECORDED PLAT OF ROBERTS ROAD AND OLD ROBERTS ROAD DEDICATION AND EASEMENTS IN COLUMBUS CORPORATE PARK, OF RECORD IN PLAT BOOK 55, PAGE 15, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO THE SAME BEING PARALLEL WITH AND 30.00 FEET NORTHWESTERLY FROM, AS MEASURED AT RIGHT ANGLES, THE CENTERLINE OF SAID ROBERTS ROAD, A DISTANCE OF 345.15 FEET TO AN IRON PIN AT THE EASTERNMOST CORNER OF THAT 6.572 ACRE TRACT OF LAND DESCRIBED IN A DEED TO THE FIRST NATIONAL BANK

OF BOSTON TRUSTEE OF THE POOLED REAL ESTATE INVESTMENT FUND, OF RECORD IN DEED BOOK 3760, PAGE 673, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO:

THENCE NORTH 58°34'12" WEST, WITH THE NORTHEASTERLY LINE OF SAID 6.572 ACRE TRACT, A DISTANCE OF 501.10 FEET TO AN IRON PIN;

THENCE NORTH 31°25'48" EAST, A DISTANCE OF 410.00 FEET TO AN IRON PIN IN A SOUTHWESTERLY RIGHT OF WAY LINE OF ZANE TRACE DRIVE (SIXTY FEET IN WIDTH), AS SAID ZANE TRACE DRIVE IS DESIGNATED AND DELINEATED UPON SAID RECORDED PLAT OF ZANE TRACE DRIVE AND ROBERTS ROAD DEDICATION IN COLUMBUS CORPORATE PARK, OF RECORD IN PLAT BOOK 48, PAGE 78;

THENCE SOUTH 58°34'12" EAST, WITH A SOUTHWESTERLY RIGHT OF WAY LINE OF SAID ZANE TRACE DRIVE, A DISTANCE OF 437.47 FEET TO AN IRON PIN AT THE POINT OF CURVATURE;

THENCE SOUTHWARDLY, WITH A SOUTHWESTERLY RIGHT OF WAY LINE OF SAID ZANE TRACE DRIVE, THE SAME BEING THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 18°22'32" AND A CHORD THAT BEARS SOUTH 49°22'56" EAST, A CHORD DISTANCE OF 38.32 FEET TO THE POINT OF TANGENCY;

THENCE SOUTH 40°11'40" EAST, WITH A SOUTHWESTERLY RIGHT OF WAY LINE OF SAID ZANE TRACE DRIVE, A DISTANCE OF 121.81 FEET TO A POINT OF CURVATURE;

THENCE SOUTHWARDLY, WITH THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 90° AND A CHORD THAT BEARS SOUTH 4°48'20" WEST, A CHORD DISTANCE OF 42.43 FEET TO THE TRUE POINT OF BEGINNING AND CONTAINING 5.241 ACRES OF LAND, MORE OR LESS.

Prior Instrument Reference: Document No.: 200603200051292  
Permanent Parcel Numbers: 560-191461-00  
Addressed As: 3635 Zane Trace Drive, Columbus, OH 43228

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for approximately 28,000 square feet of furniture sales in conjunction with a furniture distribution company, or those uses permitted in the M-2, Manufacturing District.

**SECTION 3.** That this ordinance is further conditioned on the following: the furniture store shall be permitted to operate only on Fridays, Saturdays, and Sundays, along with holidays observed on Mondays. This condition does not apply to the office, warehousing, and distribution operations on site.

**SECTION 4.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

**SECTION 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.